

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA

V.

KARIE TAFARI ANTHONY HIBBERT

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CRIMINAL NUMBER 17-241-01

DEFENDANT'S SENTENCING MEMORANDUM

The Presentence Report drafted by Probation Officer Loris Shehata sets Mr. Karie Hibbert's Guidelines sentencing range at 0-6 months incarceration. As set forth in detail below, the defense requests a sentence of time served. All of the sentencing factors enumerated in 18 U.S.C. § 3553(a) and the fact that Mr. Hibbert will be immediately deported weigh in favor of a time served sentence. At the time of sentencing, Mr. Hibbert will have served 3 months in federal custody.

Mr. Hibbert first came to the United States from Jamaica when he was 8 years old. His parents had divorced when he was very young and at 8 years old he came to the United States to live with his father and new wife. That marriage was short lived and upon that divorce, Mr. Hibbert moved among relatives as his father was involved in drugs. His father eventually was deported due to drug convictions and was ultimately killed. Mr. Hibbert was present when his father was shot and sustained gunshot wounds in that incident. This episode demonstrates the unstable environment Mr. Hibbert grew up in until he was subsequently deported in 2001. Despite this environment, Mr. Hibbert's only criminal conviction was in 1999 and despite coming back to the United States, has not committed any other violent crimes. He has maintained a romantic relationship for over 6 years and has been steadily employed. His contact

with the criminal justice system since being released in 2001 has been marijuana possession and the instant illegal re-entry case. He returned to the United States because that is his home. He has ties to Jamaica and family members he will live with, but his true home is America. He understands he will be immediately deported and has already signed the paperwork for immediate deportation upon release from Federal custody. While the defense does not wish to minimize the severity of the instant offense, it should be noted that Mr. Hibbert's only criminal activity since his last conviction, 9 years ago, has been marijuana possession and returning to the country he calls home.

The guidelines in this case are 0-6 months incarceration. Mr. Hibbert will be immediately deported upon release from federal custody and has already served 3 months at the Federal Detention Center. Based on this and the facts outlined above, the defense is requesting a sentence of time served.

Respectfully Submitted,

/s/ Nina C. Spizer
NINA C. SPIZER
Chief, Trial Unit

CERTIFICATE OF SERVICE

I, Nina C. Spizer, Chief, Trial Unit, Federal Community Defender Office for the Eastern District of Pennsylvania, hereby certify that I served a copy of Defendant's Sentencing Memorandum via Electronic Case Filing and hand delivery, upon Karen Grigsby, Assistant United States Attorney, to her office located at Suite 1250, 615 Chestnut Street, Philadelphia, Pennsylvania, 19106.

/s/ Nina C. Spizer
NINA C. SPIZER
Chief, Trial Unit

DATE: July 5, 2017